

**DOCKET NO.:** MSFT-2569/305143.1  
**Application No.:** 10/658,149  
**Office Action Dated:** June 23, 2009

**PATENT**

## **REMARKS**

This is a full and timely response to the final Office Action mailed June 23, 2009. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Telephone Conversation With Examiner**

Examiner Paliwal is thanked for the telephone conversation conducted on August 25, 2009. Proposed claim amendments were discussed. Asserted art was discussed. It was agreed that the proposed amendments overcome the rejections based on the asserted art.

### **Present Status of Patent Application**

Claims 1, 2, 6-8, 10-12, 14, 17-19, 21-27, and 29-39 are pending in the present application. Specifically, claims 24, 27, 29 and 30 are original unamended claims; claims 1, 2, 6, 7, 10-12, 14, 17-19, 21-23, 33 and 34 have been currently amended without introduction of new matter; claims 8, 25, 26, 31 and 32 have been previously presented; claims 3-5, 9, 13, 15, 16, 20 and 28 are canceled without prejudice, waiver, or disclaimer; and claims 35-39 are new claims that are submitted without introduction of new matter. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Claim Rejections under 35 U.S.C. §103**

#### **I. Statement of the Rejection**

*Claims 17-21, 23-24, 26-27, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over England in view of Olsen (US 5,758,069), hereinafter "Olsen".*

#### **Response to the Rejection**

##### **Claim 17**

Applicants respectfully traverse the rejection of claim 17 for various reasons. One among these several reasons pertains to the Office action allegation on page 3 that England's "access predicate + license" teaches Applicants' *manifest*. There are several distinct differences and

additional features that are provided by Applicants' manifest that are not provided by England's "*access predicate + license*". However, rather than providing a detailed explanation of these differences and additional features, Applicants have instead opted to amend the claim in order to clarify the language of the claim and move forward prosecution in the case.

As amended, the claim is directed to a method of "*automating the generation of a manifest that governs the execution of a software object*" and includes the following:

- 1) "*creating a file using a high-level description containing human-readable syntax that simplifies the describing of the manifest and permits a vendor to specify what may be loaded into an address space of a computer in which the software object is to be executed...*" and
- 2) "*parsing the file to generate an internal data structure representing a substance of the requirements with at least a portion of the human-readable syntax removed.*"

With reference to item 1) listed above, it may be pertinent to point out that the Office action admits (page 3) that England fails to explicitly disclose "*generating a manifest based on specification*" (note: the term "*specification*" has been replaced by the term "*file*" in the current amendment).

The Office action then goes on to allege that this shortcoming in England is overcome by Olsen's "*Column 8, lines 52-64.*" Applicants respectfully traverse this allegation and submit that Olsen fails to reasonably teach or suggest Applicants' specification/file, or generation of a manifest, in the manner cited in claim 17.

To elaborate, Applicants draw attention to their original specification (for example, to paragraphs [0008] and [0036]-[0040]), which explains certain aspects of how a file (containing human-readable syntax written in MCF, for example) is used to automate and simplify the tedious task of generating a manifest. A portion of paragraph [0008] is reproduced below for convenience:

*The requirements may then be provided to a tool that reads the description and creates the manifest based on the description. For example, if the manifest description lists certain signing keys that are to be trusted (or distrusted), the tool may retrieve the key files containing these keys, and incorporate the keys into the manifest, thereby saving the distributor from the tedious task of including long cryptographic keys in the manifest by hand. The tool may perform various other mechanical functions (e.g., retrieving*

*certificate chains, computing hashes of known modules, etc.) based on the manifest description. The tool then produces a manifest in a usable format (e.g., extensible Rights Markup Language, or "XRML").*

(Emphasis added)

It may be further pertinent to point out that additional information on this topic is available at various locations on the Web. As one example, [http://msdn.microsoft.com/en-us/library/cc530456\(VS.85\).aspx](http://msdn.microsoft.com/en-us/library/cc530456(VS.85).aspx) provides some insight into how a plaintext manifest configuration file is supplied to a manifest generation tool (*Genmanifest.exe program*), which may help in better understanding certain aspects of claim 17. A portion of text from this website is provided below for easy reference:

***Creating an Application Manifest***

*A manifest is an XrML certificate that signs your application into the Active Directory Rights Management (AD RMS) Pre-production or Production hierarchy. Like all AD RMS certificates, a signed manifest consists of a certificate chain with a Microsoft certification authority (CA) certificate as the root of trust.*

*An application manifest is a self-generated certificate. You create it by supplying a plaintext manifest configuration file to the Genmanifest.exe program included with the SDK. The configuration file lists the modules that must load or can be loaded into the process space of your application and those that must not. The intent is to increase security by helping to prevent viruses from running in your application process and by preventing surreptitious replacement of libraries.*

(Emphasis added)

In view of the remarks above, Applicants respectfully submit that "*a file using a high-level description containing human-readable syntax that simplifies the describing of the manifest*" (as cited in currently amended claim 17) is neither taught nor suggested in the cited references of England and/or Olsen.

Turning now to item 2) of the claim listed above, ("*parsing the file...*") attention is drawn to page 6 of the Office action wherein it is asserted that Olsen's "Column 8, lines 52-64" further teaches "*a parser configured to receive a manifest specification indicative of requirements for a manifest.*" Though this assertion has been made with reference to Applicants' claim 23, it must be pointed out that the assertion (as well as Applicants' remarks below) may be relevant in the context of currently amended claim 17 which includes: "*parsing the file to generate an internal data structure representing a substance of the requirements with at least a portion of the human-*

readable syntax removed.”

Applicants have described various aspects related to “*human-readable syntax*” in their original specification. One such portion of the original specification is reproduced below for easy reference:

*[0039] MCF file parser 306 parses MCF file 306, and produces a generic representation of the substance that the file specifies. This generic representation is shown in FIG. 3 as internal data structures 308. Internal data structures 308 are analogous to the parse trees produced by the front end of a programming language compiler. Thus, MCF file is a human-readable/writable syntax for specifying manifest requirements, and internal data structures 308 represent the substance of those requirements, albeit stripped of the human-readable syntax. (Emphasis added)*

Furthermore, Applicants respectfully submit that a person of ordinary skill in the art can recognize the difference between Applicants’ parsing of a file/specification (i.e. transforming from one file format to a different file format) and the creation of a license (using a template) as taught in the cited portion of Olsen.

Specifically, Olsen’s “*Column 8, lines 52-64*” pertains to a license creation utility that includes default-installation parameters in the form of license creation templates. As described in the cited portion: “*License creation templates describe detailed policies for license generation and behavior at client 106*” and also “*The license creation utility suitably prompts the installer, such as the administrator, for all information relating to the required entries, such as publisher, product, and version identifiers.*” Applicants respectfully submit that the cited portion of Olsen does not reasonably teach or suggest Applicants’ parsing of a file. The Office action fails to provide any details as to why it considers Olsen’s portion that teaches the creation of licenses using templates as suggesting/teaching Applicants’ “parsing.”

Therefore, Applicants respectfully submit that Olsen not only fails to reasonably teach or suggest (even in combination with England) item 1) (i.e. “*creating a file using a high-level description containing human-readable syntax that simplifies the describing of the manifest*”) referred to above, but item 2) (“*parsing the file to generate an internal data structure representing a substance of the requirements with at least a portion of the human-readable syntax removed*”) as well.

In summary, Applicants respectfully submit that in view of the remarks provided above, claim 17, at least as amended, is allowable over the cited references of England and Olsen, and hereby request withdrawal of the rejection followed by allowance of the claim.

**Claims 18, 19 and 21**

Applicants respectfully assert that claims 18, 19 and 21 are allowable for several reasons. One amongst these several reasons arises from the fact that these claims are allowable as a matter of law arising from direct dependency on allowable independent claim 17. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Therefore, for at least this reason, Applicants respectfully request withdrawal of the rejection followed by allowance of claims 18, 19 and 21.

**Claim 20**

Applicants have opted to cancel claim 20 and respectfully submit that the rejection of this claim has been rendered moot as a result of the cancellation. Nonetheless, Applicants respectfully traverse the rejection of this claim. Applicants specifically traverse certain conclusions drawn by Examiner from the cited reference of Olsen. To elaborate, attention is drawn to page 4 of the Office action wherein it is asserted that Olsen's *Column 8, lines 52-64* teaches Applicants' "*intermediate data structure*." However, the Office action fails to explain the rationale behind this assertion, and Applicants respectfully disagree with the conclusion that has been improperly drawn from this cited portion of Olsen.

**Claim 23**

Applicants respectfully traverse the rejection of claim 23 for various reasons. One among these several reasons pertains to the Office action allegation that Olsen's *Column 8, lines 52-64* discloses Applicants' *parser*. Attention is drawn to remarks made above in this matter. In the interests of brevity these remarks will not be repeated herein.

However, it may be pertinent to add that Applicants have currently amended the claim so as to recite: "*a first manifest generator that generates a manifest based on said representation and includes in said manifest information computed based on, said one or more components.*" (Emphasis added). With reference to this emphasized portion, attention is once again drawn to Applicants' paragraph [0008], which explains that rationale behind this citation:

*The requirements may then be provided to a tool that reads the description and creates the manifest based on the description. For example, if the manifest description lists certain signing keys that are to be trusted (or distrusted), the tool may retrieve the key files containing these keys, and incorporate the keys into the manifest, thereby saving the distributor from the tedious task of including long cryptographic keys in the manifest by hand. The tool may perform various other mechanical functions (e.g., retrieving certificate chains, computing hashes of known modules, etc.) based on the manifest description. The tool then produces a manifest in a usable format (e.g., extensible Rights Markup Language, or "XRML").*

The cited references of England and/or Olsen fail to reasonably teach or suggest such a manifest generating tool that frees the vendor from having to manually entering such information (hash values, key values etc) into the manifest.

In short, Applicants respectfully submit that claim 23, at least as amended, is allowable over England and Olsen and hereby request withdrawal of the rejection followed by allowance of the claim.

#### **Claims 24, 26, 27, 29 and 30**

Applicants respectfully assert that claims 24, 26, 27, 29 and 30 are allowable by law for at least the reason that these claims are dependent on allowable claim 23. Therefore, Applicants respectfully request withdrawal of the rejection followed by allowance of these claims.

#### **II. Statement of the Rejection**

*Claims 1-2, 6-10, 12, 14, 25, and 31 -34 are rejected under 35 U.S.C. 103(a) as being unpatentable over England in view of Olsen and further in view of Jensenworth et al. (US 6,279,111 ), "Jensenworth".*

#### **Response to the Rejection**

##### **Claim 1**

Applicants respectfully traverse the rejection of claim 1 for various reasons. However, rather than providing a detailed explanation for the traversal, Applicants have instead opted to amend the claim in order to clarify the language of the claim and move forward prosecution in the case.

As amended, the claim clarifies that the requirements to be included in the manifest, are

first listed in a manifest configuration file (i.e., an MCF file with “.mcf” extension), which is then parsed to create a generic representation. The generic representation is provided to a manifest generation tool for automatically generating a manifest in XRML format.

Applicants have described this process in various parts of their original specification. As an illustrative and non-limiting example of such description, it may be pertinent to draw attention to Applicants’ Fig. 5 as well as paragraphs [0036], [0039] and [0040], which provide some insight into the matter.

Several remarks made above in response to the rejection of claim 17 are equally relevant to the rejection of claim 1 as well. For example, attention is drawn to some remarks made as to how the manifest generation tool automates and simplifies the tedious task of manually generating a manifest. In the interests of brevity these remarks will not be repeated herein.

Amended claim 1 cites that the MCF file provides a description that includes “*an identity of a key file that contains a cryptographic key, wherein providing said identity of the key file eliminates the need to manually insert cryptographic key data into the manifest.*” The emphasized aspect has been described above vis-à-vis automating and simplifying the tedious task of generating a manifest (Applicants’ paragraph [0008]).

Amended claim 1 further cites that the manifest is generated in XRML format (eXtensible Rights Markup Language, which is a dialect of XML). Such a manifest in such a format is not reasonably taught or suggested in the currently cited references.

In summary, Applicants respectfully submit that in view of the remarks above and in view of the current amendments, claim 1 is allowable over the cited references of England and Olsen, and hereby request withdrawal of the rejection followed by allowance of the claim.

**Claims 2, 6-8, 10, 31 and 32**

Applicants respectfully assert that claims 2, 6-8, 10, 31 and 32 are allowable for several reasons. One amongst these several reasons arises from the fact that these claims are allowable as a matter of law arising from direct or indirect dependency on allowable independent claim 1. Therefore, for at least this reason, Applicants respectfully request withdrawal of the rejection followed by allowance of these claims.

**Claim 9**

Applicants have currently canceled claim 9 and respectfully submit that the rejection of this claim has been rendered moot as a result of the cancellation.

**Claim 12**

Several remarks made above in response to the rejection of claims 1, 17 and 23 are equally applicable to the rejection of claim 12. Applicants will refrain from repeating these remarks in the interests of brevity. In short, Applicants respectfully submit that claim 12, at least as amended, is allowable over the currently cited references and hereby request withdrawal of the rejection followed by allowance of the claim.

**Claims 14, 33 and 34**

Applicants respectfully assert that claims 14, 33 and 34 are allowable for at least the reason that these claims are dependent on allowable claim 12 and are consequently allowable as a matter of law. Therefore, Applicants respectfully request withdrawal of the rejection followed by allowance of claims 14, 33 and 34.

**Claim 25**

Applicants respectfully assert that claim 25 is allowable by law for at least the reason that the claim is dependent on allowable claim 23. Therefore, Applicants respectfully request withdrawal of the rejection followed by allowance of this claim.

**III. Statement of the Rejection**

*Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over England in view of Olsen, Jensenworth and further in view of Watanabe et al. (US 2002/0108041 A1), hereinafter Watanabe.*

**Response to the Rejection**

**Claim 11**

Applicants respectfully assert that claim 11 is allowable for at least the reason that this claim is dependent on allowable claim 1 and is consequently allowable as a matter of law. Therefore, Applicants respectfully request withdrawal of the rejection followed by allowance of

the claim.

**IV. Statement of the Rejection**

*Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over England in view of Olsen and further in view of Watanabe et al. (US 2002/0108041 A1 ), hereinafter Watanabe.*

**Response to the Rejection**

**Claim 22**

Applicants respectfully assert that claim 22 is allowable for at least the reason that this claim is dependent on allowable claim 17 and is consequently allowable as a matter of law. Therefore, Applicants respectfully request withdrawal of the rejection followed by allowance of the claim.

**Cited Art Made of Record**

The currently cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

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## **CONCLUSION**

Applicant respectfully submits that all pending claims are allowable. Favorable reconsideration and allowance of the present application and all pending claims are hereby requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned.

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